

UNITED STATES DISTRICT COURT

DEC 18 2013

SOUTHERN DISTRICT OF TEXAS

David J. Bradley, Clerk of Court

HOUSTON DIVISION

CLARENCE BERNARD BUCK, aka BB,	§	CRIMINAL NO.: H-13-491S
KENDAL ALLEN, aka "Cutter,"	§	
TRENT LASHAWN DAVIS,	§	
DONALD HOLMES,	§	
ZEESHAN YASIN,	§	JUDGE MELINDA HARMON
RAFEY KHAN,	§	
RUSSELL PARKER,	§	
MICHAEL GEORGE,	§	
SHELTON WATTERSON,	§	
DANNY MOORE,	§	
SON-TANNA HEWITT,	§	
Defendants	§	

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

INTRODUCTION

At all times material to this Indictment, T-Mobile maintains stores throughout the United States, and was engaged in the business of the sale of consumer electronics and cellular telephones which travel in interstate commerce, and which affect interstate commerce.

Conspiracy to Interfere with Commerce by Robbery

Beginning on or about November, 2012 and continuing until on or about July 24, 2013, in the Houston Division of the Southern District of Texas,

CLARENCE BERNARD BUCK, aka BB,
KENDAL ALLEN, aka "Cutter,"
TRENT LASHAWN DAVIS,
DONALD HOLMES,
ZEESHAN YASIN,
RAFEY KHAN,
RUSSELL PARKER,
MICHAEL GEORGE,
SHELTON WATTERSON,
DANNY MOORE, and
SON-TANNA HEWITT,

defendants herein, did knowingly and intentionally combine, conspire, confederate, and agree with each other, and others known and unknown to the Grand Jury, to obstruct, delay, and affect interstate commerce and the movement of articles and commodities in commerce by means of robbery, as the terms "commerce" and "robbery" are defined in Title 18, United States Code, Sections 1951(b)(1) and (b)(3), in that the defendants did unlawfully combine, conspire, confederate, and agree with each other, to unlawfully take and obtain property, namely, consumer electronics, to include cellular telephones, and United States currency, by means of actual and threatened force, violence, and

fear of injury to those in lawful possession of those items; in violation of Title 18, United States Code, Section 1951(a).

MANNER AND MEANS

The unlawful conspiracy was accomplished in the following manner and means:

1. It was part of the conspiracy that co-conspirators would meet and discuss plans to commit the robberies of cell phone stores.
2. It was further part of the conspiracy that one or more co-conspirators would act as a look out during the commission of the robbery.
3. It was further part of the conspiracy that a co-conspirator would drive to and from the store other co-conspirators who would do the actual robbery.
4. It was further part of the conspiracy that co-conspirators would enter the store, display a firearm, and take by threat of force consumer electronics, to include cellular telephones, and cash.
5. It was further part of the conspiracy that the stolen cellular telephones would be sold to persons engaged in the business of trafficking in stolen cellular telephones.

6. It was further part of the conspiracy that co-conspirators would divide the proceeds from the robberies.

OVERT ACTS

In furtherance of this conspiracy, and in order to effect and accomplish its objectives, one or more of the defendants committed in the Southern District of Texas the overt acts alleged in Counts Two through Eight of this indictment which are re-alleged and incorporated herein by reference.

COUNT TWO

On or about November 2, 2012, in the Houston Division of the Southern District of Texas,

CLARENCE BERNARD BUCK, aka BB,
KENDAL ALLEN, aka "Cutter," and,
TRENT LASHAWN DAVIS,

defendants herein, aiding and abetting each other as well as others known and unknown to the Grand Jury, did knowingly and intentionally obstruct, delay, and affect interstate commerce and the movement of articles and commodities in commerce by means of robbery, as the terms "commerce" and "robbery" are defined in Title 18, United States Code, Sections 1951(b)(1) and (b)(3), in that the defendants did unlawfully take and obtain

the property of T-Mobile, which was in the possession and custody of an employee of T-Mobile, namely, consumer electronics, to include cellular telephones, by means of actual and threatened force, violence, and fear of injury to those in lawful possession of those items.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THREE

On or about November 2, 2012, in the Houston Division of the Southern District of Texas,

CLARENCE BERNARD BUCK, aka BB,
KENDAL ALLEN, aka "Cutter," and
TRENT LASHAWN DAVIS,

defendants herein, aiding and abetting each other, did knowingly carry, and brandish a firearm, namely, a handgun, during and in relationship to a crime of violence for which they may be prosecuted in a court of the United States, that being Conspiracy to Interfere with Commerce by Robbery.

In violation of Title 18, United States Code, § 924(c)(1)(A)(ii) and § 2.

COUNT FOUR

On or about November 6, 2012, in the Houston Division of the Southern District of Texas,

CLARENCE BERNARD BUCK, aka BB,
KENDAL ALLEN, aka "Cutter," and,
TRENT LASHAWN DAVIS,

defendants herein, aiding and abetting each other as well as others known and unknown to the Grand Jury, did knowingly and intentionally obstruct, delay, and affect interstate commerce and the movement of articles and commodities in commerce by means of robbery, as the terms "commerce" and "robbery" are defined in Title 18, United States Code, Sections 1951(b)(1) and (b)(3), in that the defendants did unlawfully take and obtain the property of T-Mobile, which was in the possession and custody of an employee of T-Mobile, namely, consumer electronics, to include cellular telephones, by means of actual and threatened force, violence, and fear of injury to those in lawful possession of those items.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT FIVE

On or about November 6, 2012, in the Houston Division of
the Southern District of Texas,

CLARENCE BERNARD BUCK, aka BB,
KENDAL ALLEN, aka "Cutter," and
TRENT LASHAWN DAVIS,

defendants herein, aiding and abetting each other, did knowingly
carry, and brandish a firearm, namely, a handgun, during and in
relationship to a crime of violence for which they may be
prosecuted in a court of the United States, that being
Conspiracy to Interfere with Commerce by Robbery.

In violation of Title 18, United States Code, §
924(c)(1)(A)(ii) and § 2.

COUNT SIX

On or about July 24, 2013, in the Houston Division of the
Southern District of Texas,

CLARENCE BERNARD BUCK, aka BB,
RUSSELL PARKER,
MICHAEL GEORGE,
SHELTON WATTERSON,
DANNY MOORE, and
SON-TANNA HEWITT,

defendants herein, aiding and abetting each other as well as
others known and unknown to the Grand Jury, did knowingly and

intentionally obstruct, delay, and affect interstate commerce and the movement of articles and commodities in commerce by means of robbery, as the terms "commerce" and "robbery" are defined in Title 18, United States Code, Sections 1951(b)(1) and (b)(3), in that the defendants did unlawfully take and obtain the property of T-Mobile, which was in the possession and custody of an employee of T-Mobile, namely, consumer electronics, to include cellular telephones, by means of actual and threatened force, violence, and fear of injury to those in lawful possession of those items.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT SEVEN

On or about July 24, 2013, in the Houston Division of the Southern District of Texas,

SHELTON WATTERSON, and
SON-TANNA HEWITT,

defendants herein, aiding and abetting each other, did knowingly carry, and brandish two firearms, one being a Sig-Sauer P-238 .380 caliber semi-automatic pistol, during and in relationship to a crime of violence for which they may be prosecuted in a court of the United States, that being Conspiracy to Interfere with Commerce by Robbery.

In violation of Title 18, United States Code, §
924(c)(1)(A)(ii) and § 2.

COUNT EIGHT

Conspiracy to Use or Carry a Firearm During and in
Relation to a Crime of Violence

Between the dates of November 2, 2012, and July 24, 2013,
in the Houston Division of the Southern District of Texas, and
elsewhere,

CLARENCE BERNARD BUCK, aka BB,
KENDAL ALLEN, aka "Cutter,"
TRENT LASHAWN DAVIS,
RUSSELL PARKER,
MICHAEL GEORGE,
SHELTON WATTERSON,
DANNY MOORE, and
SON-TANNA HEWITT,

defendants herein, did knowingly and intentionally agree,
combine, conspire and confederate with others known and unknown
to the Grand Jury, to knowingly carry and brandish a firearm,
during and in relationship to a crime of violence, for which
they may be prosecuted in a court of the United States, that
being Conspiracy to Interfere with Commerce by Robbery.

In violation of Title 18, United States Code, Section
924(o).

COUNT NINE

Felon in Possession of a Firearm

On or about November 28, 2012, in the Houston Division of the Southern District of Texas, the defendant,

CLARENCE BERNARD BUCK,

having been convicted previously of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce a firearm, namely, a Rossi, .38 Special caliber revolver loaded with five (5) rounds of ammunition, a Sig Sauer, model 250, 9mm caliber pistol loaded with six (6) rounds of ammunition, and a Smith & Wesson, model M&P 15, .223 caliber rifle loaded with 30 rounds of ammunition, which firearms had been shipped in interstate commerce.

In violation of Title 18, United States Code, § 922(g)(1).

Notice of Criminal Forfeiture

Pursuant to Title 18, United States Code, §§ 924(d)(1), and Title 28, United States Code, § 2461(c), the United States of America hereby gives notice that all firearms and ammunition involved in, or used in the commission of the offense in violation of Title 18, United States Code, § 922(g)(1) charged in Count One and Title 18, United States Code, § 924(c)(1)(A)(ii) charged in Count Nine are subject to forfeiture, including, but not limited to, the following:

1. a Rossi, .38 Special caliber revolver, serial number CS63065;
2. five (5) rounds of Winchester .38 Special ammunition;
3. a Sig Sauer, model 250, 9mm caliber pistol, serial number EAK898289;
4. six (6) rounds of PPU 9mm ammunition;
5. a Smith & Wesson, model M&P 15, .223 caliber rifle, serial number SM80569;
6. thirty (30) rounds of .223 ammunition; and,

7. a Sig-Sauer P-238 .380 caliber semi-automatic pistol,
serial number 27A117199.

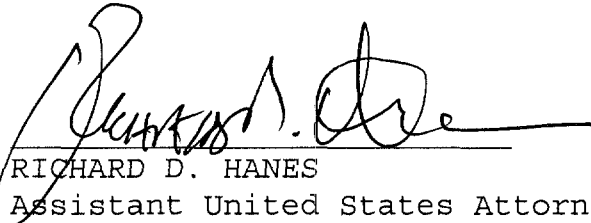
A TRUE BILL: (

Original Signature on File

FOREMAN OF THE GRAND JURY

KENNETH MAGIDSON
United States Attorney

BY:


RICHARD D. HANES
Assistant United States Attorney